

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

REBECCA SUMMERS

Plaintiff

vs.

KEEBLER COMPANY, et al.

Defendants

: CASE NO. **C-1-02-368**

:

: JUDGE **SUSAN J. DLOTT**

:

:

: **STIPULATION OF DISMISSAL**
: **OF KEEBLER CO.**

:

:

It is hereby STIPULATED AND AGREED, by and between the undersigned, the attorneys of record, for the parties to the above-entitled action, that all claims of Plaintiff, Rebecca Summers, against Defendant Keebler Company only, be dismissed with prejudice. These claims include Counts II, IV, V, VII and VIII. Each party shall bear its own costs and attorneys fees. This stipulation may be filed without further notice with the Clerk of Court pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

Dated this 4th day of February, 2004, in Cincinnati, Ohio.

/s/ Roger A. Weber

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